

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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JAMES PAUL BUTLER,

Petitioner,

v.

CAROL HOWES,

Respondent.

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Case No. 4:04-CV-143

Hon. Richard Alan Enslen

**ORDER**

This matter is before the Court on Petitioner James Paul Butler's Motion to Proceed *In Forma Pauperis* on Appeal. Petitioner has provided the Court with a Certificate of Prisoner Institutional Trust Fund Account Activity as well as an affidavit demonstrating a meager income from Petitioner's prison job. The Court concludes that Petitioner is financially unable to pay the costs of appeal and is entitled to proceed *in forma pauperis* without prepayment of fees. *See* 28 U.S.C. § 1915(a)(1); 18 U.S.C. § 3006A(c), (e)(1).

**THEREFORE, IT IS HEREBY ORDERED** that Petitioner James Paul Butler's Motion to Proceed *In Forma Pauperis* on Appeal (Dkt. No. 12) is **GRANTED**.

DATED in Kalamazoo, MI:  
May 13, 2008

/s/ Richard Alan Enslen  
RICHARD ALAN ENSLEN  
SENIOR UNITED STATES DISTRICT JUDGE